

REMARKS/ARGUMENTS

Reconsideration of this application is requested. Claims 6-11, 13 and 14 are pending in the application subsequent to entry of this Amendment.

The claims have been amended in order to more particularly point out and distinctly claim that which applicants regard as their invention and to feature preferred aspects of the disclosure. New claim 13 is based upon a combination of claims 1, 3 and 4 and provides that the amount of BaO is more than mol 0% but not more than 15 mol % as in previous claim 4 and that the minimum amount of BaO is at least 5 weight %. The minimum of 5 weight % BaO finds basis in the original description in paragraph [0025]. The glass of claim 13 has no chemically strengthened layer

New independent claim 14 is based upon a combination of claims 1, 3 and 5 and requires that the amount of BaO is 1 to 15 mol % as in previous claim 5 and that the minimum amount of BaO is at least 5 weight %. The minimum of 5 weight % BaO finds basis in the original description in paragraph [0025]. The glass of claim 14 has a chemically strengthened layer. Accordingly, basis for new claims 13 and 14 will be apparent from the above information.

Claims 7-11 are directed to non-elected species and these claims remain in the application and have been amended to depend from either claim 13 or claim 14. Claim 12, directed to non-elected subject matter, has been canceled, this action being taken without disclaimer or prejudice to a divisional application directed to the subject matter of this claim.

The examiner's assumption stated on page 2, item 4a is correct.

Claims 1, 3 and 4 were rejected as being anticipated or obvious over the published U.S. application of Nakashima U.S. 2002/001006; *see* item 6 of the Official Action. Claims 5 and 6 were rejected as allegedly being "obvious" over the same Nakashima reference in view of Speit U.S. 5,846,280; *see* item 7, page 5 of the Official Action. Applicants traverse both rejections in particular with respect to the amended claims above presented.

The primary reference, Nakashima, requires that the BaO content be limited to 2% by weight or less. Indeed, it is described as being a non-central ingredient. Basis for the 0-2% amount of BaO would be apparent from the abstract but also the discussion in paragraph [0028] where Nakashima expressly teach against exceeding 2% BaO as "the corrosion resistance of the glass tends to be impaired. It is preferably at most 1.8%". Accordingly, Nakashima clearly

teaches away from adding amounts of BaO in excess of 2% and it is preferably less, if present at all. By contrast, the claims of the present application require amounts up to "more than 5% by weight" for improving the durability of a glass and making the thermal expansion coefficient of the glass suitable to a substrate for an information recording medium. Therefore, the substrate of the present invention is distinct from the glass substrate of the Nakashima et al reference and has novelty over the Nakashima et al reference.

Further, the Speit reference neither teaches nor suggests anything that can overcome the above difference between the present invention and the Nakashima et al reference. Therefore, the present invention is not obvious over the Nakashima reference in view of the Speit reference.

For the above reasons it is respectfully submitted that the amended claims are free of the prior art.

In item 8 of the Official Action, claims 1, 3, 4, 5 and 6 are rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-11 of U.S. patent 6,818,576.

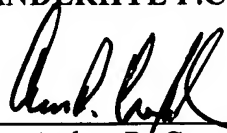
Submitted herewith is a Terminal Disclaimer in order to remove this rejection.

Further examination on the merits is awaited.

Respectfully submitted,

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